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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/605,586

10/10/2003

William C. Quan

BOE 0439 PA

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03/02/2006

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EXAMINER

COLLINS, TIMOTHY D

ART UNIT

PAPER NUMBER

3643

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,586	QUAN ET AL.	
	Examiner	Art Unit	
	Timothy D. Collins	3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 15-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6 and 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claims 15-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by the 2000 Cessna Citation X, offered for sale by the O’Gara Aviation Company on 3 August 2002 (source: www.archive.org; http://web.archive.org/web/20020803172317/www.ogarajets.com/aircraft_for_sale/HS700_257213/photos.htm).

The offer discloses all of the limitations of claims 1. The Cessna shown in the online offer shows a seating arrangement that comprises a first and second sets of at least 2 passenger seats facing opposing directions. The sets of seats are closely adjacent and form a conferencing area (see photograph associated with caption that begins, “Chairs are upholstered in light taupe leather,” hereinafter, “photo 1”). Further disclosed is a cabinet positioned between the first and second seats of seats, and is

Art Unit: 3643

shown with a foldout table in the photograph accompanying the caption that begins, "The cabin entertainment system features individual Rosen flat-plate monitors," hereinafter, "photo 2." Also photo 2 shows a table connected to the cabinet and it is clear that the table is shown in the stored position in photo 1 and is rotated out to the deployed position in photo 2. Also Cessna anticipates the claim since the table is seen as having two portions connected by a hinge and is capable of being deployed in a partial condition. The two passenger seat sets can be seen in the photo 1, in that there are 2 facing forward and 2 facing aft, even if they are split by an aisle.

Claim 2 is clearly anticipated by the Cessna offer since video monitors are disclosed in the cabinet as shown in both photos 1 and 2.

Claim 3 is anticipated as well since the monitor *is capable of* being raised for viewing and lowered for storage.

Claim 8 is anticipated by the Cessna since the table is seen as having two portions connected by a hinge.

Claims 13 and 14 are anticipated by the Cessna as well since, as disclosed in the specifications sheet, the chairs are taught to be fully articulable and berthable, and therefore are capable of forming a combined substantially flat sleeper surface and the bottom portion can flip up.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3643

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer in view of U.S. Patent Application Publication No. US 2002/0070314 A1 to Schmidt-Schaeffer (hereinafter referred to as "Schmidt").

The Cessna in the online offer discloses all of the limitations of claims 11 and 12, as described above, except for teaching a gate member attached to at least one of the seat sets and forming an enclosure. However, Schmidt discloses an aircraft passenger seat that includes a gate member or partition and is taught to provide screening or shielding of the legs for privacy (see paragraph [0031]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to install a gate member or partition on the sides of at least one of the sets of passenger seats in the Cessna in the online offer in order to provide more privacy to the passengers in the conferencing area.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer in view of U.S. Patent No. 6,857,700 to Eastman et al.

The Cessna offer discloses all of the limitations of claim 10, as discussed above, except for teaching the placement of a child booster seat upon the seats in the airplane. But the idea of providing a child seat in an airplane is well known in the art and is an absolute necessity when traveling in vehicles with children, as is taught by Eastman. It therefore would have been obvious to one having ordinary skill in the art at the time the

Art Unit: 3643

invention was made to install the child seat of Eastman, which is explicitly taught for use on airplanes (see col. 5, lines 5-7), on a seat in the Cessna in order to provide the necessary restraint and safety to children, as parents have come to understand as a necessary means.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer.

The Cessna offer discloses all of the limitations of claims 6 and 9 except for explicitly disclosing a slidably attached leg member on the table. However, providing a support member such as a leg on a table when the expected loads applied exceed a certain threshold is a matter of routine skill in the art and is an old and well known method of providing increased strength in tables. Therefore, it would have been obvious to one having ordinary skill in the art to supply a sliding leg member to the table shown in the Cessna offer in order to provide additional support if it were deemed that there would be loads applied to the table that would exceed its natural capabilities since the addition of a leg member and providing for adjustability and compactness for storage is a well known solution in the art.

Response to Arguments

1. Applicant's arguments filed 12/19/05 have been fully considered but they are not persuasive.

a. Re applicant's argument that the table can only be fully deployed. The examiner maintains that the table may be deployed in a partial condition,

Art Unit: 3643

because the table may be swung out a partial amount. The examiner notes that it may be uncomfortable to use the table in this configuration however it may be deployed into this position. The term "deployed" is taken to be similar to moved.

b. For more explanations see the rejection of claim 1 above.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy D. Collins whose telephone number is 571-272-

Art Unit: 3643

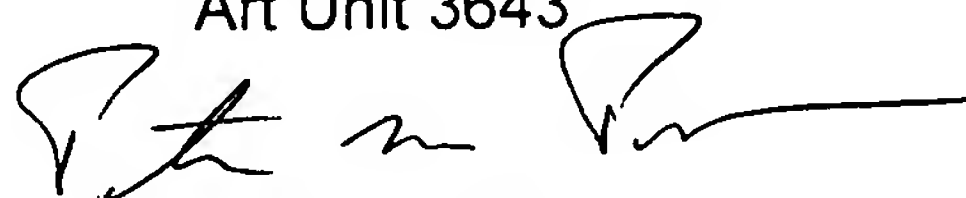
6886. The examiner can normally be reached on M-F, 7:00-3:00, with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 571-272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy D. Collins
Patent Examiner
Art Unit 3643



Peter M. Poon
Supervisory Patent Examiner
Technology Center 3600

2/24/06